

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GARY HIRSH,

Plaintiff,

v.

FERNANDO LECUONA and JOHN  
ALBIN,

Defendants.

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ORDER

This matter is before the court on the defendants' objection to the use of deposition testimony, Filing No. 65, and motion in limine filed by the defendants, Filing No. 66. With regard to the use of particular deposition testimony, the court has not received the depositions at this time. Accordingly, the court will deny this motion subject to reassertion at trial. With regard to the motion in limine to prohibit testimony of Thomas A. Ukinski, the court will permit the parties to make brief arguments on Friday, March 21, 2008, prior to jury selection in this case.

IT IS ORDERED:

1. That defendants' objection to the use of deposition testimony, Filing No. 65, is denied, subject to reassertion at the appropriate time during trial.
2. That defendants' motion in limine, Filing No. 66, to prohibit the use of Thomas Ukinski's deposition will be argued during jury selection on Friday, March 21, 2008.

DATED this 18th day of March, 2008.

BY THE COURT:

s/Joseph F. Bataillon  
Chief United States District Judge